

Article 13.1 – Rockville Pike District Zone

INTRODUCTION

The Rockville Pike District (RPD) Zone describes the development regulations governing building form and land use within the Rockville Pike study area. The regulations reflect the community's vision and implement the intent of the neighborhood plan for the Rockville Pike corridor, known as *Rockville's Pike: Envision a Great Place*, which was adopted in _____. The RPD Zone implements the elements described in Chapter 4 of the Plan. It is intended for incorporation, by adoption, into the Zoning Ordinance of the City of Rockville (Chapter 25 of the City Code), adopted December 15, 2008 and effective March 16, 2009.

The RPD Zone focuses its regulations on the relationship between building façades and the public realm or street, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. This approach emphasizes the public realm's character and allows what is developed behind the 'building frontage' to be more flexible than what is found in traditional zoning.

The regulations in this article are keyed to a regulating plan that designates the appropriate form and scale (and therefore character) of development, as well as distinctions in land-use types. The Regulating Plan, which begins on page 2, designates the application of the various development standards using different street colors. It also links the form and performance of a property's façade to its street frontage. The Regulating Plan is based on the Street Master Plan as set forth in the Master Plan.

The RPD Zone does not increase the overall potential amount of development in the district. There are no standards that directly specify development density or intensity within each of the Corridor's frontage types. Similar to the mixed-use zoning formerly assigned to the study area, the resulting density or intensity of development is based on key building envelope standards relating to height and the building's disposition on the site. Unlike the mixed-use zoning districts, the resulting density and intensity of development is more fine grained and varies according to frontage type and location along the corridor.

ROCKVILLE PIKE DISTRICT (RPD) ZONE

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25.13.1.01 GENERAL PROVISIONS

25.13.1.01.1 Corridor Planning Principles

The principles in this planning context are statements of intent that describe in words how the physical environment – both natural and man-made – should be treated in the future. The following principles serve as the basis for the Rockville Pike District Zone. They are derived from the plan for the Rockville Pike Corridor, *Rockville's Pike: Envision a Great Place*, which was adopted in 2013. The planning process involved extensive public input and careful consideration by both the Planning Commission and Mayor and Council.

These principles are as follows, divided into three general categories:

- a. A livable, desirable environment enhanced by thoughtful urban design
 - 1. Community design and development appropriate to Rockville
 - 2. Mixed uses
 - 3. Inviting conditions for walking and biking
 - 4. Appealing parks and public open spaces for community gathering and activity
 - 5. Environmentally-friendly and sustainable
 - 6. A distinctive character for Rockville's portion of the corridor
 - 7. Development that is supported by commensurate growth of infrastructure
- b. Multimodal Transportation
 - 1. Smooth, safe vehicular flow
 - 2. Safe and accessible pedestrian and biking infrastructure
 - 3. Access and movement choices for all travel modes that provide connections within the corridor and with surrounding areas
 - 4. Efficient and reliable local and regional public transportation options
 - 5. Easy-to-navigate environment
- c. Economic viability
 - 1. Retention and attraction of local and national businesses (retail, restaurant, other)
 - 2. City support for successful development
 - 3. Financeable infrastructure and fiscally responsible implementation

25.13.1.01.2 Purpose

- a. The RPD Zone is designed to foster a series of vibrant mixed-use areas within the Rockville Pike Corridor. These areas are intended to allow for residences, store fronts, sidewalk cafes and other activating uses at the street level, with wide sidewalks and canopy shade trees, overlooked by upper story residences and commercial uses. The

RPD Zone ensures a lower activity level for areas closer to existing single-family residential communities just outside of the Rockville Pike District.

- b. Redevelopment within the District is regulated as set forth below in order to achieve the vision set forth in the *Rockville's Pike: Envision a Great Place* plan. These regulations provide the specific means to guide implementation of the citizen-endorsed vision for the development and redevelopment of properties in the Rockville Pike district.

25.13.1.01.3 Conflicting Provisions

Where there appears to be a conflict between these regulations and other requirements of the Zoning Ordinance (Chapter 25 of the City of Rockville City Code), the requirements specifically set forth in these regulations shall prevail. For development standards not covered by these regulations, the standards and requirements as shown in Section 25.13.05 for the Mixed-Use Transit District will apply to the Core Street Frontage areas, and the standards and requirements for the Mixed-Use Corridor District (MXCD) zone will apply for all the other frontage areas.

25.13.1.02 ZONE ESTABLISHED

25.13.1.02.1 Components of the Rockville Pike District Zone

These regulations include the following:

a. Regulating Plan

1. A regulating plan provides standards for the disposition of each property or lot and illustrates how each relates to the adjacent properties and streetscape. The regulating plan is the coding key for the zone that provides specific information on permitted development for each property (see Maps 1 through 4, below).
2. The regulating plan identifies the building form regulations for all building sites along each frontage. The regulating plan also shows how each lot relates to public spaces (streetscape, civic greens, pedestrian pathways, etc.) and the surrounding neighborhood. There may be additional regulations for lots in special locations as identified on the regulating plan.
3. The regulating plan for the Rockville Pike corridor is divided into three distinct subareas identified in *Rockville's Pike: Envision a Great Place*. They include:
 - (a) **North Pike:** The areas between Richard Montgomery Drive and Edmonston Drive, further defined by east and west sides of Rockville Pike. The east side contains a combination of shallow lots and long blocks adjacent to the Metro line. The west side is characterized by larger blocks and is adjacent to the Hungerford Neighborhood. (see Map 2, below);
 - (b) **Middle Pike:** As with the North Pike, the Middle Pike is broken into east and west sides. The east side between Edmonston Drive and one lot south of Templeton Place is characterized by shallow commercial lots adjacent to the

Metro line. On the west side there is a combination of multi-family, recreation and commercial uses (see Map 3, below); and

- (c) **South Pike:** The areas between the south boundary of the Middle Pike and Bou Avenue. The east side of this area is the closest in proximity to the Twinbrook Metro Station and has the potential of being the most intensely developed area along the corridor. The west side proposed to lower heights and act as a transition to the residential areas further west (see Map 4, below).

b. Building Form Standards

The Building Standards have the primary role of defining the physical form of the built environment. They establish specific physical and use parameters for each street frontage and general standards for all areas. The street frontage is the way a building engages the public realm and ensures that, after a building is located properly, its interface with the public realm and the transition between the two are detailed appropriately. As shown on the Regulating Plan, where two different frontages meet, there is some flexibility in applying the frontage standards where there is an overlap. The Approving Authority will make the final determination on the character of the transition area, based on the Plan's land use recommendations for the adjoining and confronting properties. The building form standards represent the more graphic part of the Code regulations, incorporating a series of tables for each street frontage type. The street frontage types are described as follows:



1. **Core Street Frontage:** This frontage type is located solely in the South Pike segment of the corridor, close to the Twinbrook Metro Station. As the street frontage type with the most anticipated development intensity, it serves as a transition area between the Twinbrook Station development and the adjacent development along the Pike.



2. **Corridor Street Frontage:** This frontage type, located in all three subareas, corresponds to the properties fronting Rockville Pike and supports a very active pedestrian environment made possible by a grand boulevard accommodating multiple transportation modes (e.g., pedestrian, vehicular, bus, bicycle, etc.). The building form standards applicable to this area are intended to enhance the character of Rockville Pike and its dual role as both a major arterial and a local street.



3. **Center Street Frontage:** This type of street frontage, like the Core Street Frontage, is located along new and existing streets that support an active pedestrian environment and incorporate a mix-of-uses. The Center frontage is found in all three subareas and includes a similar but less intense development character than the frontage along Rockville Pike (Corridor) or the Core Street Frontage.

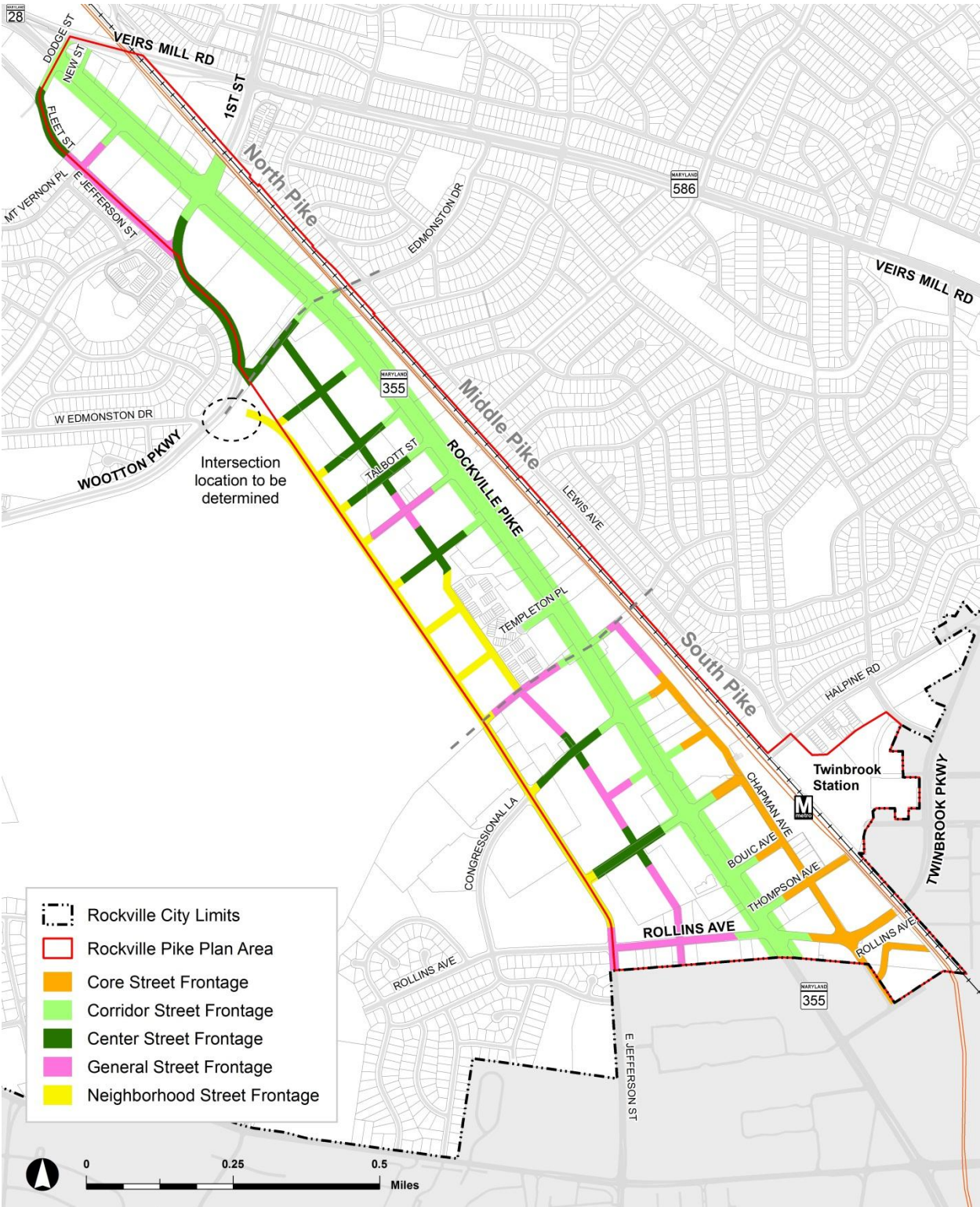


4. **General Street Frontage:** This type of street frontage, found in all three subareas, does not include retail uses and is not intended to function as an active pedestrian environment but to access and serve residential development sites. This frontage type is along both existing and new roadways.



5. **Neighborhood Street Frontage:** This type of street frontage, found in the Middle and South Pike areas west of the Pike, is intended to serve primarily residential uses at varying scales and densities with a minor inclusion of business services (e.g., live-work units).

Map 1: Rockville Pike District Regulating Plan



There are additional standards related to all street frontage types included in other tables and figures throughout this Article, including parking and other base standards.

Each street frontage type table includes the following:

1. Building Placement and Height Regulations
2. Use Regulations
3. Parking Regulations
4. Encroachment Regulations
5. Permitted Land Use Types

25.13.1.02.2 How to Use the Code Regulations

In order to understand what these regulations allow on property within each frontage type in question, there are four basic steps:

- a. Look at the regulating plan. Find the property in question. Note the required building line and the parking setback line.
- b. Note the color of the fronting street-space – this determines the building form standards for buildings fronting that street.
- c. Look at the appropriate building standards tables. These tables will tell you the regulations for building on this site in terms of Placement, Height, Parking, Encroachments and Use.
- d. Review additional information regarding the other design elements, including Parks and Open Space that are covered in the Master Plan. These describe how buildings and other elements further shape and make use of the street.

25.13.1.02.3 General Rules for Development

These standards apply to all development throughout the RPD Zone.

- a. Blocks/Alleys
 1. All lots shall share a frontage or build-to line with a street.
 2. All lots and/or all contiguous lots shall be considered to be part of a block for this purpose. No block face should have a length greater than 500 feet without an alley, common drive, access easement, or pedestrian pathway providing through-access to another street, alley, common access easement, or street-space. No blocks should exceed a total perimeter of 1,600 feet or four acres total area.
 3. Curb cuts should be limited to no more than one per 200 feet of street frontage, except where otherwise designated on the regulating plan.
 4. Where the following Center Street Frontages - Twinbrook Parkway/Rollins Avenue; Halpine Road; Congressional Lane; Edmonston Drive; and Wootton Parkway/First

Street - intersect with a Corridor Street Frontage, the build-to line at the street corner shall be the hypotenuse of a right triangle that is formed by the leg of each street's respective build-to line measured 30 feet from their intersection. The building façade shall extend along a minimum of 70% of the angled build-to line:

5. Where the build-to line is 0 feet and the edge of pavement for an existing thoroughfare is at or near the build-to/right-of-way line, then a build-to zone of 0-15 feet is allowed in order to accommodate the required sidewalk or pedestrian path.

b. Buildings

1. The maximum building floor-plate (ground footprint) is 50,000 square feet; beyond that limit Special Exception approval is necessary.
2. Where the allowable building height is greater than 7 stories along the Corridor Street Frontage, a 20' step-back from the build-to line shall be provided at the eighth story. Where the allowable building height is greater than 11 stories along the Core Street Frontage, a 20' step-back from the build-to line shall be provided at the twelfth story.
3. When the building form standard designation changes along a street frontage, the property owner has the option of applying either building envelope standard for a maximum additional distance of 75 feet in either direction along one of the frontages.
4. Where a parking structure is within 40 feet of any principal building, that portion of the structure shall not exceed the building's eave or parapet height.
5. Additional building stories, where allowed in a street frontage, will be allowed subject to one of the following incentives:
 - (a) Affordable Housing – One or two additional stories may be allowed with the provisions:
 - i. 30 percent of the additional dwelling units achieved with the extra height must be designated as Moderate Priced Dwelling Units (MPDU's) under Chapter 13.5 of the City Code; or
 - ii. 15 percent of the additional dwelling units achieved must be designated as Very Low Income units; or
 - iii. 15 percent of the additional dwelling units achieved must be designed and designated as 3 bedroom MPDU's.
 - (b) Dedicated public open space in an amount significantly greater than is required under Sec. 25.13.1.03.2.b; or
 - (c) Provide a vehicular or pedestrian crossing over the railroad and Metro tracks, especially in the Middle Pike or North Pike areas.

The Building Standards that follow have the primary role in defining the physical form of the built environment. They establish specific physical and use parameters (such as build-to lines and heights) in addition to parameters that apply to all areas, such as frontage types and parking dimensions. The use parameters are arranged in use types or categories of uses, instead of listing all uses separately.

c. Undergrounding of Utilities

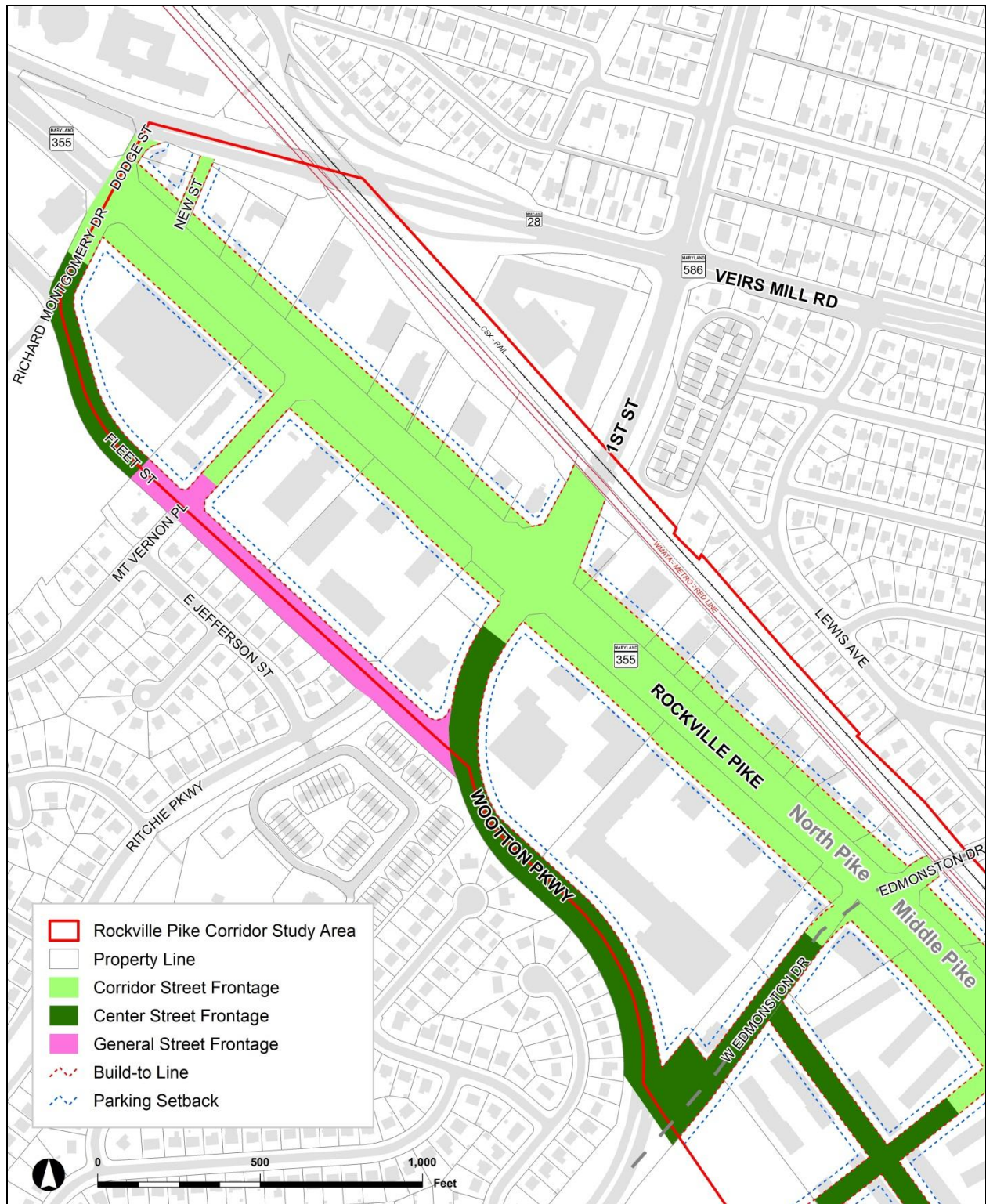
In the RPD Zone, all electric, telecommunication, television (including cable) and other utility lines must be installed underground under the following conditions:

- (a) Total redevelopment of the site is proposed; or
- (b) Additions or modifications to existing development that exceed 50 percent of the existing gross floor area; or
- (c) Demolition and reconstruction of the public or private sidewalk area along a public street where overhead utilities currently exist.

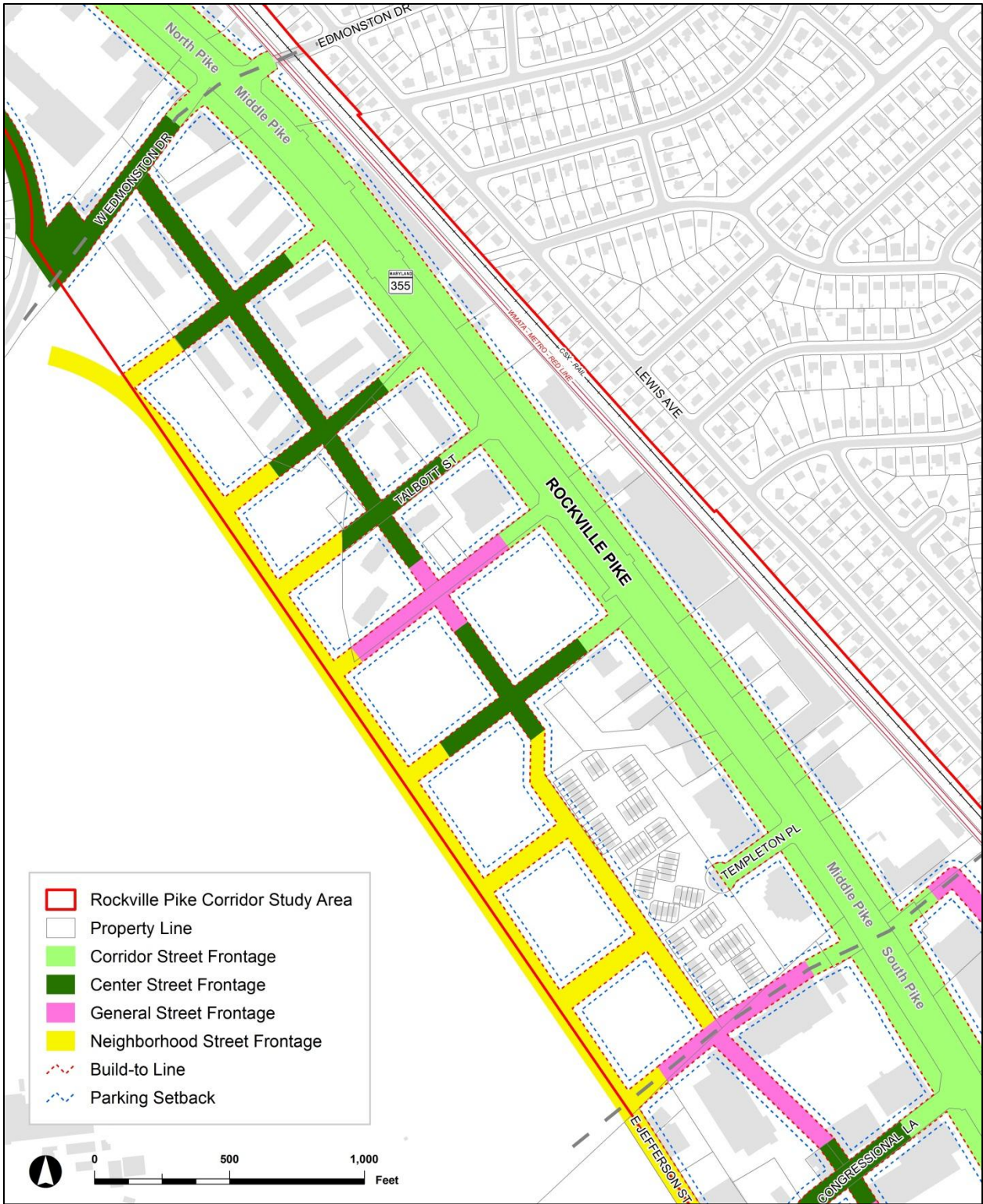
d. Street Location

The locations of the proposed new streets shown on the regulating plan are approximate. The final location of these new streets will be determined at the time of site plan review, but the intent is to maintain the integrity of the proposed street grid in order to achieve the vision of the Master Plan.

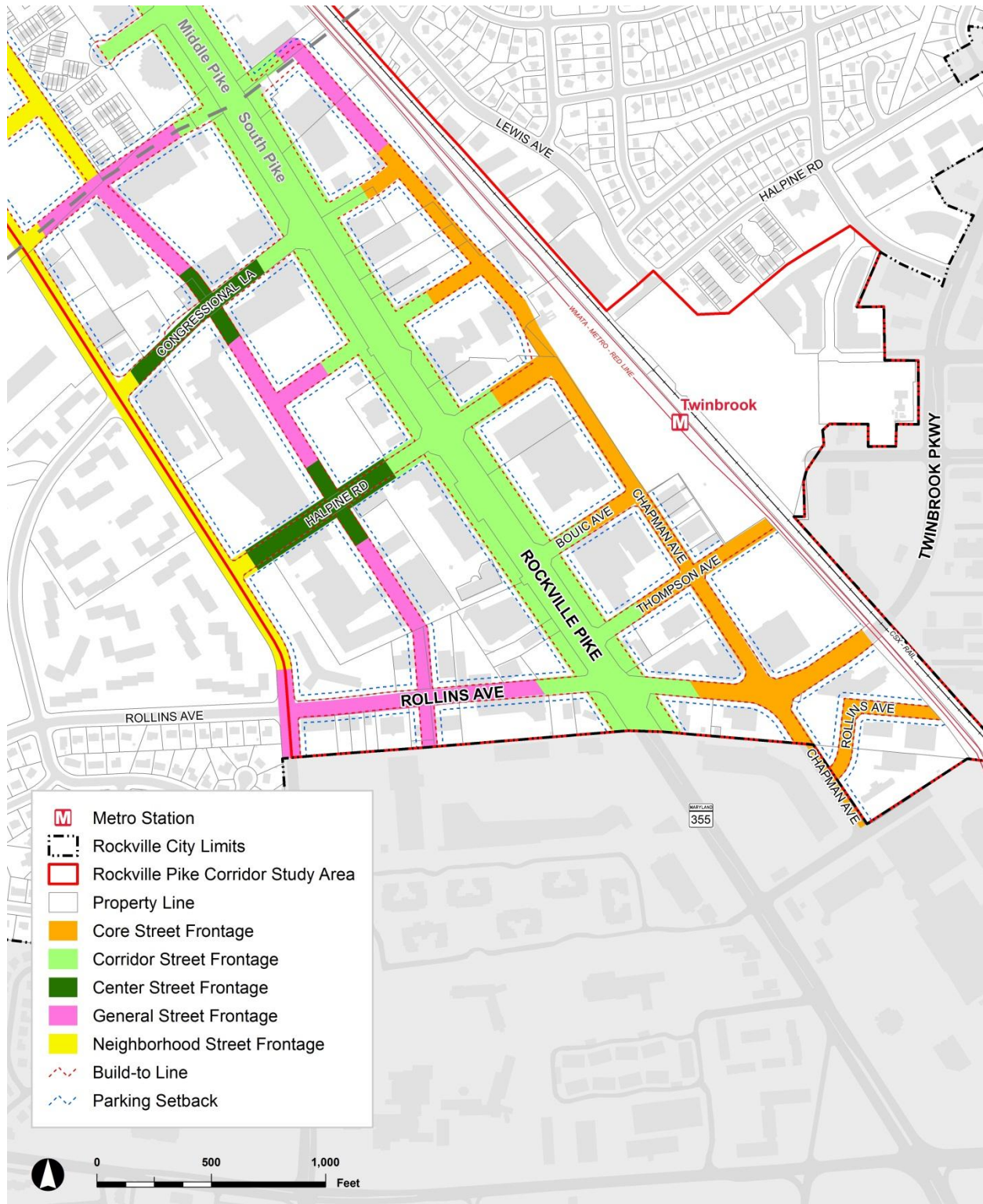
Map 2: Rockville Pike District Regulating Plan – North Pike



Map 3: Rockville Pike District Regulating Plan – Middle Pike



Map 4: Rockville Pike District Regulating Plan – South Pike



25.13.1.02.4 Building Placement and Heights Standards Table

Frontage Type	Setbacks		Building Height		Maximum Number of Accessory Buildings	Minimum Percent of Building Façade at Build-To Line ⁴	Minimum ground floor ceiling height (feet)	Maximum floor to floor height: Ground/Upper (feet)	Maximum Encroachments Allowed (feet) ^{5,6}		
	Build-To Line (feet) ¹	Minimum Side or Rear Yard (feet) ²	Minimum (stories)	Maximum (stories) ³					Front	Side Street	Rear
North Pike Corridor	West of Pike: 126' East of Pike: 116'	0' or 10' min.	1	7+1 ⁷	1	70%	15'	25'/15'	12'	8'	4'
North Pike Center	0'	0' or 10' min.	1	5+1		50%	10'	25'/15'			
North Pike General	0'	0' or 10' min.	1	5+1 ⁷		30%	10'	25'/15'			
Middle Pike Corridor	West of Pike: 126' East of Pike: 116'	0' or 10' min.	West of Pike: 2 East of Pike: 1	7+1 ⁷		70%	15'	25'/15'			
Middle Pike Center*	0'	0' or 10' min.	2	5+1		50%	15'	25'/15'			
Middle Pike General	0'	0' or 10' min.	2	5+1		30%	10'	25'/15'			
Middle Pike Neighborhood*	0'	0' or 10' min.	2	4+1		30%	10'	15'/15'			
South Pike Corridor	West of Pike: 126' East of Pike: 116'	0' or 10' min.	2	West of Pike: 7+1 East of Pike: 11+2		70%	15'	25'/15'			
South Pike Core	0'	0' or 10' min.	3	11+2		70%	15'	25'/15'			
South Pike Center	0'	0' or 10' min.	2	6+1		70%	15'	25'/15'			
South Pike General	0'	0' or 10' min.	2	5+1		50%	15'	25'/15'			
South Pike Neighborhood	0'	0' or 10' min.	2	4+1		30%	10'	15'/15'			

Notes

¹ For properties facing Rockville Pike, the build-to line is measured from the Pike centerline as established by the City of Rockville or accepted property survey and only applies to the portion of a building that fronts the Pike. For properties facing all other streets within the Plan Area, the build-to line is established as zero feet from the back of sidewalk for all building facades, generally, but not always coinciding with the edge of the public right-of-way.

² None required; 10-foot minimum, if provided.

³ Additional building story (+1) or stories (+2) permitted per Sec. 25.13.1.02.3.b.(5)

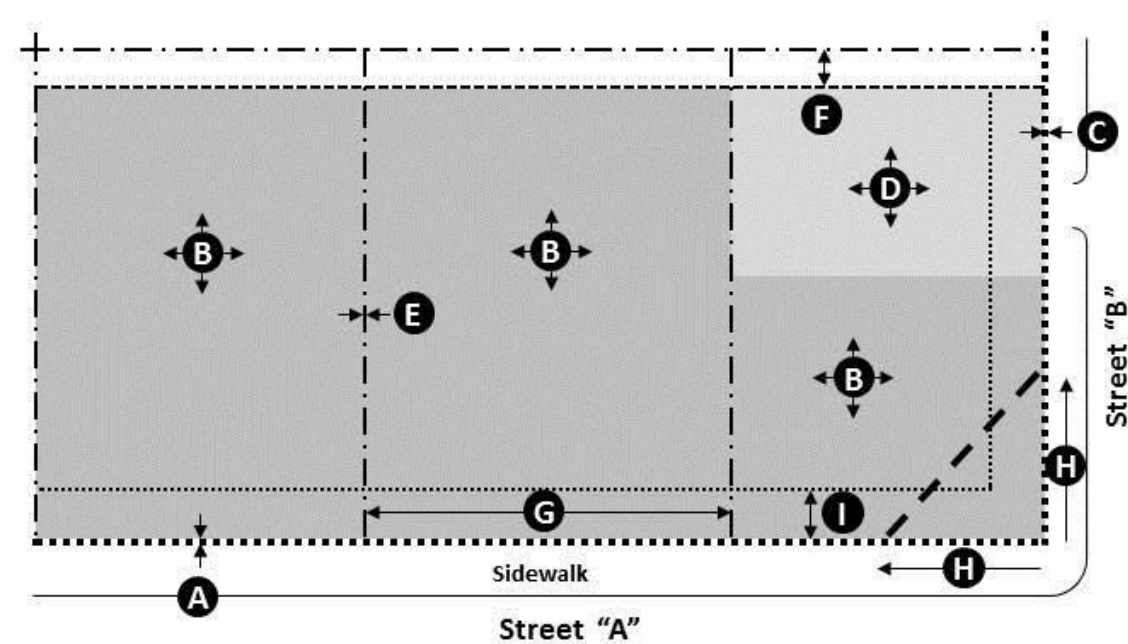
⁴ See Sec. 25.13.1.03.1.A.2

⁵ Encroachments located over any utility easement must be constructed to be easily removable or maintain a clear height of at least 15 feet.

⁶ Encroachments that exceed a width of more than 20% of the linear building façade of each story at the build-to line require approval by the Approving Authority.

⁷ 30-degree layback slope from residential land uses applies to properties on the east side of the Pike and along Fleet Street.

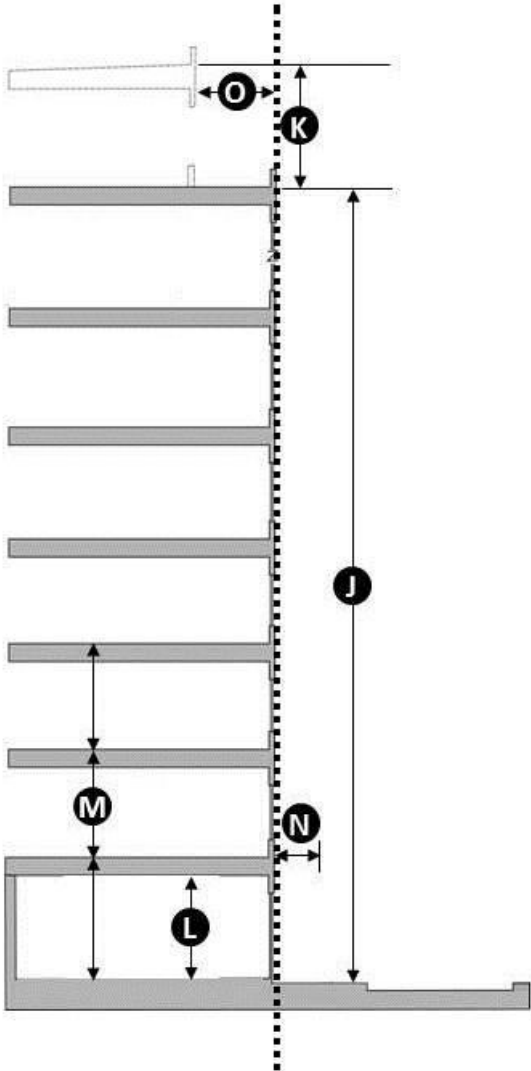
Figure 1: Building Placement Diagram



Key

— · —	Property Line	A	Street Frontage "A" Build-to Line	I	Parking Setback
.....	Build-to Line	B	Street Frontage "A" Buildable Area	J	Building Height by Story
-----	Rear Setback Line	C	Street Frontage "B" Build-to Line	K	Additional Story (where allowed)
.....	Parking Setback	D	Street Frontage "B" Buildable Area	L	Minimum Ground Floor Height
- - -	Street Corner Setback	E	Interior Side Yard Setback	M	Maximum Floor-to-Floor Height
		F	Rear Yard Setback	N	Encroachment Allowed
		G	Percent of Building at Build-to Line	O	Additional Story Step-back
		H	Street Corner Hypotenuse (where applicable)		

Figure 2: Building Height Diagram



25.13.1.02.5 Land Use Tables

	Land Uses	STREET FRONTAGE TYPE									
		North Pike Corridor	North Pike Center	North Pike General	Middle Pike Corridor	Middle Pike General	South Pike Corridor	South Pike Core	South Pike Center	South Pike General	South Pike Neighborhood
Residential uses	Dwelling, Townhouse	P	P	P	P	P	P	N	P	P	P
	Dwelling, attached	P	P	P	P	P	P	P	P	P	P
	Dwelling, multiple-unit	P	P	P	P	P	P	P	P	P	P
	Live-Work Unit	P	P	P	P	P	P	P	P	P	P
	Personal living quarters	P	P	P	P	P	P	P	P	P	P
Home Occupation uses	No impact	P	P	P	P	P	P	P	P	P	P
	Major	P	P	P	P	P	P	P	P	P	P
Institutional uses	Adult day care	P	P	P	P	P	P	P	P	P	P
	Charitable or philanthropic institution	P	P	P	P	P	P	P	P	P	P
	Child care home	P	P	P	P	P	P	P	P	P	P
	Child care center										
	9-12 children	P	P	P	P	P	P	P	P	P	P
	More than 12 children	P	P	P	P	P	P	P	P	P	P
	Educational institution, private	P	P	P	P	P	P	P	P	P	P
	Housing for senior adults and persons with disabilities	P	P	P	P	P	P	P	P	P	P
	Library, museum and art gallery or studio	P	P	P	P	P	P	P	P	P	P
Miscellaneous uses	Place of worship	P	P	P	P	P	P	P	P	P	P
	Private club	P	P	P	P	P	P	P	P	P	P
	Public utility building and structure	P	P	P	P	P	P	P	P	P	P
	Publicly-owned or publicly-operated building and use, excluding sanitary landfill	P	P	P	P	P	P	P	P	P	P
	Wireless communications facilities	Conditional use within an existing building or on the roof or side of a building, or attached to an existing structure. Subject to the requirements of Section. 25.09.08 Special Exception for a freestanding ground-mounted support structure. Subject to the provisions of sections 25.09.08 and 25.15.02.s									
Temporary Uses	Temporary building or yard for construction materials of equipment	Conditional use, subject to the provisions of Section 25.09.04									
	Temporary office or model home	Conditional use, subject to the provisions of Section 25.09.04									
	Christmas tree sales	Conditional use, subject to the provisions of Section 25.09.04									
	Temporary carnival, flea market or local festival	Conditional use, subject to the provisions of Section 25.09.04									

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	Land Uses	STREET FRONTAGE TYPE									
		North Pike Corridor	North Pike Center	North Pike General	Middle Pike Corridor	Middle Pike General	South Pike Corridor	South Pike Core	South Pike Center	South Pike General	South Pike Neighborhood
Retail Sales and Services	Alcoholic beverages for consumption off the premises	P	P	N	P	N	P	P	P	N	N
	Alcoholic beverages for consumption on the premises of any restaurant	P	P	N	P	N	P	P	P	N	N
	Business equipment sales and service	P	P	P	P	P	P	P	P	P	P
	Consumable goods to be used in the home	P	P	N	P	N	P	P	P	N	N
	Drug store with drive-through ¹	C	C	N	C	N	C	C	C	N	N
	Durable goods to be used in the home	P	P	N	P	N	P	P	P	N	N
	Flowers, except from outdoor garden or greenhouse	P	P	N	P	N	P	P	P	N	N
	Funeral home	P	P	P	P	P	P	P	P	P	P
	Home maintenance services	P	P	N	P	N	P	P	P	N	N
	Mobile uses	Conditional use, in accordance with Sec. 25.09.04.d.5									
	Multiple product range retail store (department store)	P	P	N	P	N	P	P	P	N	N
	Personal care facility	P	P	P	P	P	P	P	P	P	P
	Personal services office	P	P	P	P	P	P	P	P	P	P
	Pet grooming	P	P	P	P	P	P	P	P	N	N
Retail Sales and Services	Pet sales	P	P	P	P	P	P	P	P	N	N
	Public transportation station	P	P	P	P	P	P	P	P	P	P
	Repair of household appliances, inc'l. home electronic equipment	P	P	P	P	P	P	P	P	N	N
Food Services	Wearing apparel and related accessories	P	P	P	P	P	P	P	P	N	N
	Wearing apparel services	P	P	P	P	P	P	P	P	P	P
	Ancillary restaurant	P	P	P	P	P	P	N	P	N	N
	Carry-out	P	P	P	P	P	P	P	P	P	P
	Caterer, no seating	P	P	N	P	N	P	P	P	N	N
Offices and Services	Restaurant	P	P	N	P	N	P	P	P	N	N
	Restaurant with drive-through ¹	C	C	N	C	N	C	C	C	N	N
	Bank or financial institution	P	P	N	P	N	P	P	P	N	N
	Bank or financial institution With drive-through ¹	C	C	N	C	N	C	C	C	N	N
	Duplicating service	P	P	N	P	N	P	P	P	N	N
	Medical or dental laboratory	P	P	N	P	N	P	P	P	N	N
	Office, including medical and professional	P	P	P	P	P	P	P	P	P	P

	Land Uses	STREET FRONTAGE TYPE									
		North Pike Corridor	North Pike Center	North Pike General	Middle Pike Corridor	Middle Pike General	South Pike Corridor	South Pike Core	South Pike Center	South Pike General	South Pike Neighborhood
Motor Vehicle Services	Automobile parts sales; no installation or service	N	P	P	N	P	N	N	P	N	N
	Automobile filling station (Class I & II)	S	S	N	S	N	S	N	S	N	N
	Automobile fluid maintenance station	P	P	P	P	P	N	N	P	N	N
	Automobile rental	P	P	P	P	P	P	P	P	N	N
	Commercial parking facility	C	C	C	C	C	C	C	C	C	C
	Motor vehicle and trailer sales, excluding trucks and trailers exceeding three-fourths ton capacity, including new and reconditioned parts and accessories and service incidental thereto	P	P	P	P	P	P	N	P	P	N
Assembly and Entertainment	Health and fitness establishment	Permitted for facilities of up to 1,500 square feet. Conditional use for facilities larger than 1,500 square feet.									
	Hotel	P	P	P	P	P	P	P	P	P	P
	Indoor entertainment establishment, commercial, except shooting gallery	Permitted for facilities of up to 1,500 square feet Conditional use for facilities larger than 1,500 square feet									
	Rental hall for meetings and social occasions	P	P	P	P	P	P	P	P	P	P
	Theater, including dinner theater	Permitted for facilities of up to 1,500 square feet. Conditional use for facilities larger than 1,500 square feet.									
Accessory Uses	All	P	P	P	P	P	P	P	P	P	P

Notes**P = Permitted Use****C = Conditional Use****N = Not Permitted Use****S = Special Exception**¹Regulations for drive-through facilities:

Any proposed development that includes a drive-through facility is subject to a Level 2 site plan review in accordance with the provisions of Article 7 of this code.

- a. Drug store: In the South Pike Core district, a drive-through must be enclosed within a building or structure. In the other districts, the drive-through must be arranged so as to not obstruct traffic circulation within the site. Sufficient reservoir spaces must be provided and must be located so as not to obstruct vehicle or pedestrian circulation or parking within the site or accessing the site.
- b. Banks and financial institutions: In the South Pike Core district, a drive-through must be enclosed within a building or structure. In the other districts, the drive-through must be arranged so as to not obstruct traffic circulation within the site. Sufficient reservoir spaces must be provided and must be located so as not to obstruct vehicle or pedestrian circulation or parking within the site or accessing the site.
- c. Restaurants: All restaurants with a drive-through must be located as follows:
 1. On a lot with minimum size of 40,000 square feet;
 2. At least 400 feet away from any school site or parcel of land zoned or planned for single dwelling unit residential development. This setback does not apply to residential or educational properties recommended for a nonresidential or non-educational use in the Plan; and
 3. Has a minimum frontage of 200 feet on the primary street.

25.13.1.02.6 PARKING REQUIREMENTS

		STREET FRONTAGE TYPE									
		North Pike Urban Corridor	North Pike Urban Center	North Pike Urban General	Middle Pike Urban Corridor	Middle Pike Urban General	South Pike Urban Corridor	South Pike Urban Core	South Pike Urban Center	South Pike Urban General	South Pike Urban Neighborhood
Number of Parking Spaces Required	Attached or Multi-family Residential										
	Studio	0.5 per unit minimum 1.0 per unit maximum									
	1 bedroom	1.0 per unit minimum and maximum									
	2 or more bedroom	1.0 per unit minimum 1.5 per unit maximum									
	All Other Land Uses	As Required per Section 25.16.03.d ^{2,3}									
Maximum Allowable Parking Reductions	Residential Uses	Maximum parking reductions allowed per Section 25.16.03									
	Non-residential Uses	60%	60%	50%	60%	50%	60%	75%	60%	50%	50%
Minimum setbacks for surface and structured parking¹	Street facing facades	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'
	Non-street fronting facades	0'	0'	0'	0'	0'	0'	0'	0'	0'	0'

Notes

¹ No setbacks are required for underground parking, which may be located up to the property line.

² The required number of spaces is subject to the maximums set forth in Section 25.16.03.f. Residential and non-residential parking that is less than the minimum or more than maximum standards shown above must be approved by the Approving Authority.

³ Automated parking structures are allowed in accordance with Sec. 25.16.08.

Bicycle parking requirements are as set forth in the tables in Sec. 25.16.03.d

25.13.1.03 ADMINISTRATION**A. Applicability**

This section sets forth the provisions for reviewing and approving development applications within the Rockville Pike District (RPD) Zone. This is to ensure that all development is consistent with the provisions of this Code. All elements of the Code – the Regulating Plan, Building Standards, and the relationship to the street frontage, along with the recommendations and guidelines for public and private open space - will be applied during review.

B. Code Administrators

The administration of the Rockville Pike District Code derives its authority from the provisions of Section 25.04.08 of the Zoning Code where land development may be subject to additional approvals required by other chapters of the Zoning Code or by resolution of the Mayor and Council, or by an adopted Plan. All projects within the Rockville Pike District Code are subject to review and approval under the provisions for Site Plan review and Project Plan review as set forth in Article 7 of this ordinance. Variances will be heard by the Board of Appeals per Section 25.06.03. Administrative Adjustments to the regulations and standards will be made by the Chief of Planning per Section 25.06.06. Appeals and variances to the Code regulations shall include recommendations from the Planning Commission per Section 25.04.02.b.1.(e).

C. Approval Criteria

The Code Administrator shall review the application in accordance with the following:

1. Compliance with the RPD Zone Regulating Plan.
2. Compliance with all other relevant provisions of the City Code

25.13.1.03.1 Submission Requirements

Applicants must submit a site plan application to the Chief of Planning for review in accordance with the provisions of Section 25.07.02. If a preliminary plan of subdivision is required, then application for approval must be submitted in accordance with the provisions of Section 25.21.09. The site plan or preliminary plan application must include the following elements, in addition to any other requirements of the Zoning Code:

A. Elevations of all structures on the site with details of windows, storefront treatment, balconies, etc. as set forth in the Implementation recommendations of the Plan.

Elevations must conform to the following Guidelines:

1. *Facades and Exterior Walls Including Sides and Backs* – Buildings must be designed in a way that avoids massive scale and uniform and impersonal appearance and that will provide visual interest consistent with the community's identity, character, and scale. Building walls greater than 100 feet long must include projections, recessions, or other treatments sufficient to reduce the unbroken massing of the façade along all sides of the building facing public streets.

- (a) Along any public street fronting building, designs must include windows, arcades, awnings or other acceptable features along at least 60 percent of the building length. Arcades and other weather protection features must be of sufficient depth and height to provide a light-filled and open space along the building frontage. Architectural treatment, similar to that provided to the front facade must be provided to the sides and rear of the building to mitigate any negative view from any location off-site and any public area (e.g. parking lots, walkways, etc.) on site.
 - (b) Buildings must include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall along those sides fronting on public streets with color, texture change, wall offsets, reveals, or projecting ribs.
- 2. *Build-to Lines* – All buildings must be located at the build-to lines as set forth in the Building Placement and Height Standards table, above. The minimum percentage of a building required to be at the build-to line is applied only to the first two floors. In order to provide flexibility of design, the required percentage at the build-to line can be averaged over the face of the two floors. In addition, a facade articulation of up to two feet behind the build-to line is also allowed.
- 3. *Entryways* – Building design must include design elements which clearly indicate to customers where the entrances are located and which add aesthetically pleasing character to buildings by providing highly visible customer entrances.
- 4. *Screening of Mechanical Equipment* – Mechanical equipment must be screened to mitigate noise and views in all directions. If roof-mounted, the screen must be designed to conform architecturally to the design of the building either with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable.
- B. Physical relationship of proposed buildings and structures to adjacent lots and buildings on the same street block, showing the dimensions between buildings and across adjacent streets.
- C. Any plans or data that may be necessary in order to judge compliance with the requirements of the Rockville Pike Plan and the Rockville Pike District Code including: lighting plan, roof plan, architectural plans with elevations, given at Maryland State Plane.
- D. A current Leadership in Energy & Environmental Design (LEED) Scorecard from the US Green Building Council shall be completed for the project and accompany the application.
- E. A statement of how the applicant will provide the required parking if parking is not provided on-site.
- F. All proposed signage.

25.13.1.03.2 Other Applicable Regulations

A. Applicable Sections

All development projects within the Rockville Pike District (RPD) Zone shall be additionally subject to the following standards:

1. Zoning Ordinance Article 20, Adequate Public Facilities.
2. Environmental Guidelines for the Protection and Enhancement of the City's Natural Resources, July 1999.
3. Water Quality Protection Code, July 2007.
4. Landscaping, Screening, and Lighting Manual, December 2008.
5. Forest and Tree Protection Code, as amended, 2008.
6. Article XIV of Chapter 5 of the City Code – Green Buildings, adopted May 10, 2010
7. Chapter 13.5 of the City Code – Moderately-Priced Housing

B. Open Space and Fee-in-Lieu

All sites are required to provide 15 percent of the site for public use space. At the time of site plan review, the Approving Authority will determine what portion of the public use space must be provided on-site, either privately-held or dedicated to the City, and what portion will be subject to the fee-in-lieu provision.

The fee-in-lieu is calculated based on a formula adopted by resolution of the Mayor and Council. The fee-in-lieu is in two parts: The Property Assessment, which is most recent assessed square footage value of the property, and Square Footage Rate, based on the most recent Builder's Cost Index as set forth annually in Engineering News Record.

25.13.1.03.3 Findings

The Approving Authority may approve the design and/or use of a development proposal based upon the findings as set forth in Section 25.07.01.

25.13.1.03.4 Waiver

If the applicant demonstrates that undue hardship will result from strict compliance with any requirement of this Article, a request for waiver or modification from such requirement may be submitted to the original Approving Authority. The Approving Authority may grant the waiver or modification if a finding is made that substantial justice may be done if the public health, safety, aesthetics, or general welfare will not be impaired and the waiver will not be contrary to the intent and purpose of the Plan or this Article.

25.13.1.03.5 Amendments

Amendments to approved developments shall follow the requirements of Section 25.05.07.

25.13.1.03.6 Conditional Uses

Uses listed as Conditional within Section 25.13.1.02.5, Land Uses, shall be subject to Section 25.07.06, Level Two Site Plan Review.

25.13.1.03.7 Variances

Variances shall be heard by the Board of Appeals per Section 25.06.03, with advice of the Planning Commission per Section 25.04.02.b.1.(e).

25.13.1.03.8 Appeals

Any party of record aggrieved by any final decision of the Chief of Planning on a Level One Site Plan application may appeal the same to the Planning Commission in accordance with Section 25.04.06. Notice of the Planning Commission meeting on the appeal is required in accordance with the provisions of Section 25.07.03. Unless otherwise provided, any person aggrieved by any final decision of the Commission may appeal the same to the Circuit Court for the County. Such appeal must be taken according to the Maryland Rules as set forth in Title 7, Chapter 200.

25.13.1.03.9 Special Exceptions

Special exceptions shall be permitted per 25.15.01 and 25.07.09, Special Exceptions.

25.13.1.03.10 Nonconformities

Within the Rockville Pike District Zone, nonconforming uses and development standard nonconformities are subject to the provisions of Article 8 of the Zoning Ordinance except as follows:

- a. Any building, structure or site existing as of [date of adoption] that conforms to the development standards and requirements in effect immediately prior to [date of adoption] but no longer conforms to the development standards of the zone in which it is located is deemed to be conforming, subject to the following:
 1. In the event the building, structure or site is damaged or destroyed by fire, flood, explosion or other cause or casualty outside the control of the property owner, the building, structure or site may be reconstructed to the density and configuration which existed immediately prior to the damage or destruction within a period of ten years from [date of adoption]. After that date, all such repair or reconstruction must conform to all provisions of this Article.
 2. If a building or structure is demolished, or a redevelopment of a site occurs, due to causes within the control of the property owner, all reconstruction and redevelopment must comply with the current development standards and requirements of the zone in which the property is located.
- b. Any building, structure, or site approved but not built as of [date of adoption] that conforms to the development standards and requirements in effect immediately prior to [date of adoption], but no longer conforms to the development standards of the zone in which it is located, may be built or developed in accordance with the approval and is thereafter deemed to be conforming, subject to the provisions of subsection a above

except that the 10-year amortization period begins with the issuance of the initial occupancy permit.

- c. Any expansion, structural alteration or enlargement to the portion of the building, structure or site that no longer conforms to the development standards of the zone in which it is located is subject to the provisions of Section 25.08.06 and Section 25.08.08.
- d. If extensions or additions to any portion of such an existing building, structure or site (whether conforming or nonconforming) cumulatively exceed 50 percent of the existing gross floor area or 50 percent of the net lot area, then the entire building, structure, or site must be brought into compliance with all of the current development standards contained in this Article.

25.13.1.04 GLOSSARY [Note: The terms identified here will be incorporated as deemed appropriate into the Definitions provisions of Article 3 of the zoning ordinance]

Alcoholic Beverage Sales - Off-Premise: The retail sale of beer, wine, and/or spirits in sealed containers for off-site consumption, either as part of another retail use, or as a primary business activity.

Arcade: A colonnade supporting habitable space that overlaps the sidewalk while the façade at the sidewalk level remains at or behind the frontage line. This type is conventional for retail use.

ATM or Bank: An automated teller machine (computerized, self-service machine used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel), located outdoors at a bank, or in another location. Includes banks, but does not include drive-up ATMs or check-cashing stores. See also “Financial Institutions” for other financial organizations.

Business, Service: Establishments providing direct services to consumers. Examples of these uses include employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, elected official satellite offices, etc. This use does not include “Bank, Financial Services,” which is defined separately.

Business Support Service: An establishment within a building that provides services to other businesses. Examples of these services include computer-related services (rental, repair) (see also “Maintenance Service – Client Site Services”), copying, quick printing, and blueprinting services, film processing and photofinishing (retail), mailing and mail box services.

Civic: A term defining not-for-profit organizations, dedicated to arts, culture, education, religious activities, government, transit, municipal parking facilities and clubs.

Commercial: A term defining workplace, office and retail use collectively.

Commercial Block Building Type: A lot and building located and designed to accommodate offices or multiple dwellings on upper stories and various commercial uses on the ground story.

Conditional Use: A use that is permitted in a zone, but which must comply with specified conditions that may limit some aspect of that use.

Encroachment: Any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public frontage, or above a height limit.

Financial Services: Includes banks and trust companies, credit agencies, holding (but not primarily operating) companies, lending and thrift institutions, other investment companies, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies. This does not include check-cashing stores.

Frontage Line: The property lines of a lot fronting a street or other public way, or a park, or green.

Front Porch: A roofed structure that is not enclosed and is attached to the façade of a building.

Height: A limit to the vertical extent of a building that is measured in number of stories. Height limits do not apply to masts, belfries, clock towers, chimney flues, water tanks, elevator bulkheads, and similar structures, which may be of any height approved by the Chief of Planning.

Land Use Type: A generic or categorical list of uses where similar uses are grouped to allow more flexibility in the number and type of land uses allowed along a particular street frontage.

Library, Museum: Public or quasi-public facilities, examples of which include: aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, planetariums, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.

Lodging: A facility (typically a hotel or motel) with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. Hotels typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

Medical Services: Clinic, Urgent Care: A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include:

medical offices with five or more licensed practitioners and/or medical specialties, outpatient care facilities, urgent care facilities, and other allied health services.

These facilities may also include incidental medical laboratories. Counseling services by other than medical doctors or psychiatrists are included under “Offices - Professional/Administrative.”

Medical Services: Doctor Office: A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with five or more licensed practitioners is instead classified under “Medical Services - Clinic, Urgent Care.” Counseling services by other than medical doctors or psychiatrists are included under “Offices - Professional/Administrative.”

Medical Services: Extended Care: Residential facilities providing nursing and health-related care as a primary use with in-patient beds. Examples of these uses include: board and care homes; convalescent and rest homes; extended care facilities; and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under “Residential Care.”

Meeting Facility, Public or Private: A facility for public or private meetings, including: community centers, religious assembly facilities (e.g., churches, mosques, synagogues, etc.), civic and private auditoriums, Grange halls, union halls, meeting halls for clubs and other membership organizations, etc.

Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. This does not include conference and meeting rooms’ accessory and incidental to another primary use, and which only on-site employees and clients typically use, and occupy less floor area on the site than the offices they support.

Does not include: cinemas, performing arts theaters, indoor commercial sports assembly or other commercial entertainment facilities.

Related on-site facilities such as day care centers and schools are separately defined, and separately regulated by this Form Code.

Mixed-use: Multiple functions within the same building or the same general area through superimposition or within the same area through adjacency.

Open Space, Private: Land intended to remain undeveloped and located on privately owned property. It may be accessible to the public, but is not required to meet the same accessibility standards as public open space (e.g., fronting one or more streets, publically owned and controlled, etc.

Open Space, Public: Land intended to remain undeveloped and located on publically owned property and is directly accessible to the public. It may be space that has been classified as Civic Space.

Public Realm: Those parts of the urban fabric that are held in common such as plazas, squares

Residential: Premises used primarily for human habitation. Units shall not be less than 375 square feet in net area.

Restaurant, Cafe, Coffee Shop: A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption (“counter service”); and establishments where customers are served food at their tables for on-premise consumption (“table service”), that may also provide food for take-out, but does not include drive-through services.

Secondary Building: A building that accommodates the secondary use of the site.

Shared Parking: Any parking spaces assigned to more than one use, where persons utilizing the spaces are unlikely to need the spaces at the same time of day.

Theater, Cinema or Performing Arts: An indoor facility for group entertainment other than sporting events. Examples of these facilities include: civic theaters, facilities for “live” theater and concerts, and movie theaters.